G.R.S IX–5]

Previous references

(1923. Miscellaneous)

File No. 257-23

Serial Nos. 1 & 2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for May 1924

SUBJECT

Appeal petition from Jattappa son of Bhimanna of Hassan Town praying for reconsideration of the order of the Dy Comr directing that the ~~order~~ Archak hereditary of the Hirebasti temple be made out in the name of the respondent Adivajeeb.

OR 1609 dated 6th May 1924

To the Petitioner

States that there are no grounds to interfere with the Dy Comr's order & rejects the appeal

Muz 1] 1923.

MUZRAI SECRETARIAT.

(Muz)

NOTES

File No. 257 / 1923

FILE HEADING

Archakship of Chikka Basti temple in the Hassan town.

From Jettappa son of Bhimanna.

No Petition Dated 8-1-24 Received

Diary No. 2033 | Enclos. 2 | Spare Copies. - | Serial No 1

BRIEF ABSTRACT OF LETTER.

Appeals against the Dy. Comr's. order directing that the Archak Varavara be made out in the name of the respt — Adirajiah.

NOTES AND ORDERS

M. (1) The appeal petition is duly stamped. An attested copy of the Dy. Comr's. order Dy 8-1-1924 appealed against is produced. The appeal is filed

NOTES—First Sheet

WD 0560—3PB—500—9 8 22

2053

[11 2]

Muzrai Secretariat | Muz. File No. 257 of 1923.

Serial No.

within 3 months from the date of the Dy. Comr's. order. and is in time.

2) A Cff. Calling for report with records is submitted for appl. or orders.

AV 23-4-24

3) There does not seem much force in the appeal petn. Records may however be called for.

23/4/24

4) The appellant admits in para 5 of his appeal petn that the respondents' family has been performing the worship for some years. The office note of the Dy Comr's office says that they have been doing so for three generations. Except that the appellant claims belong to the elder branch of the family, he has advanced no other grounds in his appeal. The appeal may perhaps be rejected

25.4.24

705 26.4.24

2nd member

5) I agree. Appellant may be given an endorsement for the grounds & withdraw

25/4

NOTE—Contn. sheet

WD 0561—GPB—3750—1 8 22

AV 25/4

25/4/24

Muz. File No. 25 of 1923

Serial No.

6) D/R. and to Submit.

AL
1.5.24

7) Done
1.5.24.

2 In the petitioner petitioner no. 1109 d. 6.5.24. States that there are no grounds to interfere with the D.C.'s order / accepts his appeal.

NOTE—Contn. sheet

WD 0561- GPB—3750—1 8 22

Mug. D. OR 2033

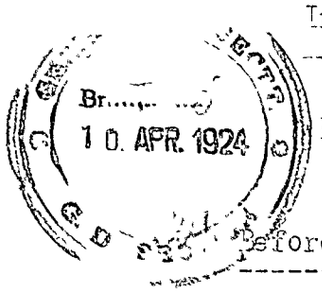
10.4.24

TWO RUPEES

Mang 257-23-1.

31870 The Secretary to the Government of Mysore,

In The Muzrai Department, Bangalore City.



Muzrai Appeal No. of 1923-24.

Before The Deputy Commissioner, Hassan Dist.

Muzrai Appeal Case No.7 of 1923-1924

Jettappa son of Bhimanna
Doddabagal Street,
Hassan Town. ... Appellant

-vs-

Adirajayya son of Channappa
Hassan Town. .. Respondent.

Under The Rules framed under The Muzrai Regulation.

The appellant above named most respectfully begs to appeal to Government against the order of the Deputy Commissioner Hassan District in Muzrai Appeal No.7 of 23-24 confirming the order of the Sub Division Officer, Hassan Sub Division ordering the baraward of the Poojari right of - Chikkabasti Temple to be made out in the name of the Respondent, for the following reasons:-

1. That the Lower Courts erred in making the baraward in question in the name of the respondent when as a matter of fact it was found admitted by the respondent that the appellant belonged to the

Senior Branch of the family, related to the last Barawarddar in the same decree of relationship.

2. That the Lower Court erred in not making out the baraward in the appellant's name and granting the office to the appellant.

3. That if it were found equitable the Lower Courts may have ordered the office to be looked after by turns of one year each both by the appellant and the respondent after making out the baraward in the appellant's name.

4. The reasons given by the Lower Courts are not sufficient to justify the ordering of the Baraward in the name of the respondent.

5. The mere fact that one branch of the family ~~were~~ was doing the worship for some time does not take away the rights of the other branches to conduct worship and get baraward made out after the death of the last Barawarddar.

6. The orders of the Lower Court are against law and facts

The appellant wherefore prays:

(a) that the appellant may be made the Barawarddar

(b) that the office if so found equitable may be given to both the

appellant and the respondent by
turns if it cannot be granted -
solely to the appellant.

Bangalore.
8th April 1924.

Advocate for
Appellant.

೨ ರೂ TWO RUPEES ೨-೦-೦

Before the Govt. of ಕೋರ್ಟಿಗೆ.
H. H. the Maharaja of Mysore
in the Munsif Department.
1925 — 24 ನೇ Misc Appl ನಂಬರು.

ಅರ್ಜಿದಾರ ಯಾ ಅರ್ಜಿದಾರ್ತಿ
Jeeva Bee

Vs.

ಪ್ರತಿವಾದಿ ಯಾ ಆಪೋನೆಂಟ್,
Adiraju

ಮ|| ರಾ|| Advocate Mr. K. Krishnaiah Appa ಯವರಿಗೆ.

ಒರಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮಾ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಪೈರುವರುವಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರಗಿಸುವದಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ನಿಧವಾದ ಆರ್ಡರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲು ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಪೊಬಲಗು, ತಿಲ್ಕುಪೊಬಲಗು ರೀಫಂಡು ಸ್ಟಾಂಪು ಪೊಬಲಗು ದಸ್ತೈಜು ವಗೈರೆಗಳನ್ನು ವಾವಸು ಪಡೆಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ಯಾವ ಲಾಯರಾಗಲಿ ಡಿಬೋ ಪೊಖದ್ದಮೆಯಲ್ಲಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನ್ದು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದ್ದೇನೆ.

ರುಜು ಇದಕ್ಕೆ ಗಿಲ್ಲಿಕೈಕೊಳ್ಳಲಿಲ್ಲ

ಈ ಮೊಕ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ತ ರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

K. Krishnaiah

ಈ ಮೊಕ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇದ್ದೇನೆ.

K. Krishnaiah
Advocate.
8/4/25

ತಾರೀಖು

ಮಾರುವ ಸ್ಥಳ—ಜೊಂಬಾಮಿ ಬಜಾರ್, ಚಿಕ್ಕಪೇಟೆ, ಬೆಂಗಳೂರು ಸಿಟಿ.

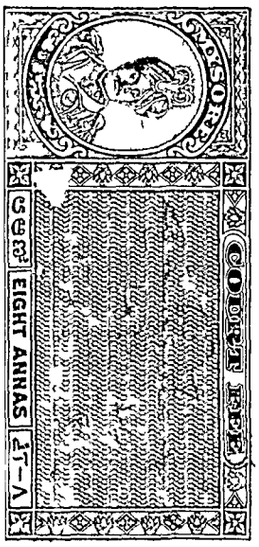
S. G. N. Press, Bangalore City.

ಎಳು EIGHT ANNAS ೮-೭

In the Court of the Deputy Commissioner
Hassan District
Dated 8th January 1924.

Present H. Moylar Rao, Esq B.A. B.L.
Deputy Commissioner

Revenue appeal case No. 7 of 1923-24.

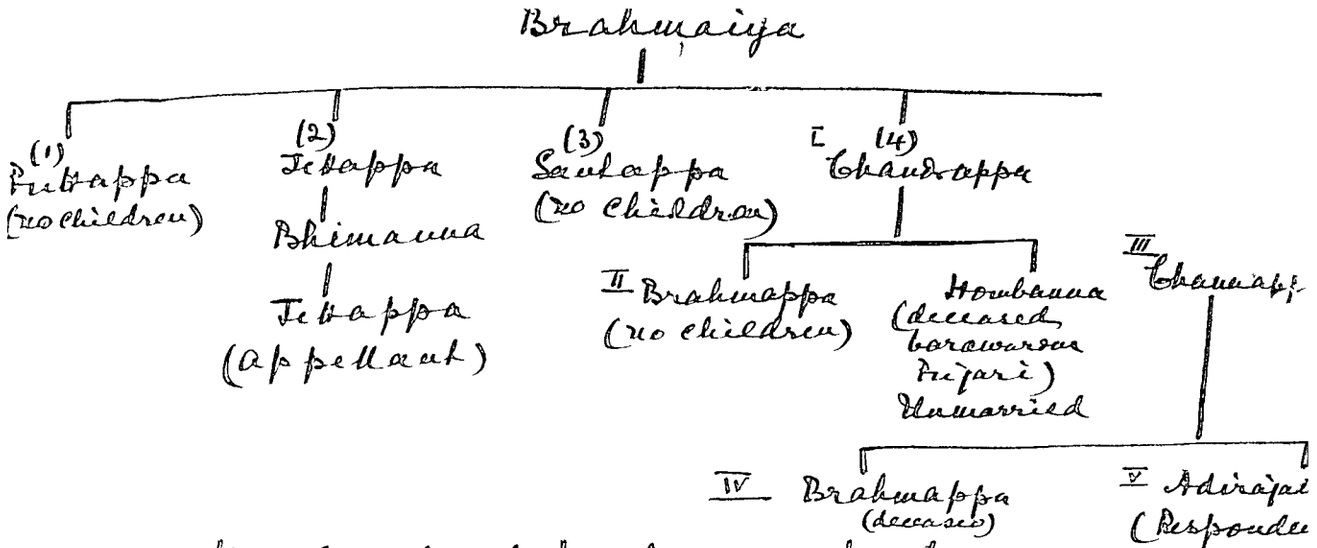


Appellant	Respondent
Jethappa	Adinagaiya

This is an appeal preferred against the order of the Sub Division Officer, Hassan Sub Division directing that the respondent be made the karawardar, Pujari of Chikkabasti temple in the Hassan town.

Facts of the case.

The temple is a village institution and is endowed with inam lands of 9 acres assessed at Rs 19-8-0. The genealogical table the family of the first



On the death of Honbanna, the barawardar, on 25.2.21 the appellant and the respondent each petitioned to the Amildar to make, him the barawardar pujari of the temple. The appellant petitioned to his office on 24.4.21 but the petition was returned for presentation before the Sub Divisional Officer, Hassan Sub Dn. On a reference from the Sub Dn Officer, the Amildar summoned the parties and got their statements. In his statement on 6.7.21 the respondent Adiraja iyer has stated as follows:- (1) That Honbanna was only a nominal barawardar inasmuch as he never performed worship and remained unmarried. (2) That the respondent, his father and grandfather have been regular worshippers for the last 30 years (3) That the deceased Honbanna was under his protection since his (respondent's) father's time (4) That he was not in town

on the day of death of Nombauna but nevertheless performed all his funeral ceremonies from the 3rd day onwards. (5) that he can perform Shastric worship (6) that the appellant, his father or grand father never performed worship in the temple. (7) that the appellant is ignorant of shastric worship and is living by agriculture and trade while he has no other means of livelihood except being a pujari (8) that therefore he should be made the taraward

The appellant stated on 19.10.2 as follows:- (1) that Nombauna was the taraward pujari (2) that he also did worship in the temple during Nombauna's life time; but has not kept any corroborative evidence nor submitted any accounts to Govern ment. (3) that he was not aware of the fact whether the respondent and his father ever did worship in the temple (4) that he should be made the manager of the temple and be allowed to enjoy the inam lands.

On 13.4.23 the Shekdar drew up a mahazar in which it is stated that the pujaries were successively I, II III, IV, V marked in the genealogical table and that the appellant or his father was never a pujari and that

the respondent may be made the
karawardar.

In his statement before the
Sheristedar on 13.4.23 the appellant
has stated (1) that his father was
worshipping in the temple for sometime
some 30 years back (2) that his grand-
father Jeddappa and his brothers
lived together and were enjoying
equal shares in the inam lands
and had merely allowed Chandappa
to do worship in the temple but
never gave the karaward to him.
(3) that Chennappa did worship
only on behalf of his (appellant's)
father and Hombanna and that
therefore he derived no right thereby
(4) that as he belonged to the elder
branch of the family the karaward
should be in his name.

On the basis of these statements
and the materials the Amildar
recommended to the Sub Division Officer
that the karaward be made in favour
of the respondent. The appellant
in his statement before the Sub
Division Officer has stated (1) that
since the death of Hombanna and

during his life time the respondent was the worshipper of the temple (2) that the income from the inam lands is being equally divided, between himself and the respondent (3) that he should be made the karawardar.

The respondent has stated (1) that the karaward is in the name of Hombamma (2) that he is doing the worship since 1907 and that before that his brother Brahmappa and his father Chandrappa were doing that duty (3) that the right of performing the puja be given to any one after a proper competitive examination by the Bhakkas as regards worship etc and that Government may nominate any one as karawardar.

The Sub Division Officer ordered that the karawarda be given to the respondent, on the following grounds.

(1) that the appellant's statement shows that the respondent was doing the worship the last so many years even though the karawar

name of Houbamma. (2) the mahazar also shows that even before Adirajaya took charge of the worship his brother and father were doing the puja.
(3) Houbamma was never married
(4) that since Adirajaiy's branch of family has been the regular pujaries for the last 30 or 40 years and also as Adirajaiya has been doing his duty without giving room for any complaints the karamvar be made in his name; and that no-one cannot be made in the name of the appellant and the respondent as suggested by Rayappachetty in the mahazar.

Order

The order passed by the Sub division officer seems fair and equitable. The respondent and his father and also grand father have been acting as Pujaries for the last 30 years. So far as relationship to the last karamvardar is concerned, the appellant and the respondent are both related to him in

in the same degree. The appellant is said to belong to a sweeper community. He cannot be preferred to the respondent merely on this ground. The appeal is dismissed

8. 1. 24 (Signed) R. Ry Ayyar Rao

"Copy"
Compd
19/1/24
for Deputy Commissioner
Salem District

Copy applied for on 12th January 1924
Applicant ~~informed~~ appear on 24th January 1924
Copy ready on 19th January 1924
Applicant appeared on } 25th January 1924
Copy delivered on }
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Muz 4]

SUBJECT..... ....

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Diary No. of letter replied to _____

Section

File No.

Serial No

Muzrai Secretariat

( )

, the *192* .

No. 1609

Date of issue 6.5.24

To

Signed by Sm. T. Ramarao

[illegible]

8.4.1924.

[illegible]

[illegible]

[illegible]

By order,

[illegible]

[illegible] Asst. Secretary

[illegible]

List of enclosures.

Copy to Mr. [illegible] 1610 dt. 6-5-24
for info.

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Copied by

Examined by

WD 0563—GPB—2,500—27-7-22